

ESTTA Tracking number: **ESTTA593478**

Filing date: **03/19/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91198614
Party	Defendant Ooh La La! Jewelry and Accessories, Inc.
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Submission	Motion to Extend
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Date	03/19/2014
Attachments	Motion for Extension of Deadlines.pdf(15670 bytes )

**UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

TRACI MACARO,

Opposer,

v.

OOH LA LA! JEWELRY AND  
ACCESSORIES, INC.,

Applicant

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Opposition No. 91198614 (“Parent”)

Opposition No. 91198615

Opposition No. 91198616

Cancellation No. 92054700

Cancellation No. 92054821

**CERTIFICATE OF MAILING**

I hereby certify that the original of this filing is being electronically filed with the Trademark Trial and Appeal Board of the United States Patent and Trademark Office through the web site at <http://estta.uspto.gov> on March 19, 2014.

/s/ Dale L. Friedman

Dale L. Friedman

**APPLICANT’S MOTION FOR EXTENSION OF DEADLINES**

Applicant, OOH LA LA! JEWELRY AND ACCESSORIES, INC., by and through its undersigned attorney, hereby files its Motion for Extension of Deadlines, and states as follows:

1. By order dated February 10, 2014, the Board consolidated the above-numbered cancellation and opposition proceedings (the “consolidated proceedings”).

2. Also in that Order, the Board reset the due dates in the consolidated proceedings. Pursuant to that Order, expert disclosures are currently due March 19, 2014 and discovery closes on April 18, 2014.

3. These proceedings have been suspended multiple times by agreement of the parties because the parties were engaging in numerous and extensive settlement negotiations. During the time the parties were engaged in settlement negotiations, the parties engaged in sporadic and very limited document discovery, which has not yet completed.

4. The parties are once again engaged in settlement negotiations. Specifically, the parties have recently prepared a draft settlement agreement. Proposed revisions to that settlement agreement have been exchanged between the parties a number of times over the last few weeks. The parties are close to agreement on the major terms of the settlement but continue to negotiate as to specific language to be used in the agreement.

5. In light of the fact that the parties are engaged in settlement negotiations, and have exchanged a draft settlement agreement, and appear to be close to agreement on the major terms of the agreement, Applicant respectfully requests a 60-day extension of the current deadlines in this action. The requested amended deadlines under such an extension would be as follows:

Expert disclosures due:	May 18, 2014
Discovery closes:	June 17, 2014
Macaro's pretrial disclosures in the opposition due	August 1, 2014
Macaro's 30-day testimony period as plaintiff in the oppositions to close	September 15, 2014
Inc.'s pretrial disclosures in the oppositions and cancellation due	September 30, 2014
Inc.'s 30-day testimony period as defendant in the oppositions and as plaintiff in the cancellations to close	November 14, 2014

Pretrial disclosures for Marcaro's rebuttal in the oppositions and for Macaro and LLC as defendants in the cancellations due	November 29, 2014
30-day testimony period for Macaro and LLC as defendants in the cancellation and for rebuttal for Macaro as plaintiff in the oppositions to close	January 13, 2015
Inc.'s rebuttal disclosures as plaintiff in the cancellations due	January 28, 2015
Inc's 15-day rebuttal testimony period as plaintiff in the cancellations to close	February 27, 2015
Brief for Macaro as plaintiff in the oppositions due	April 27, 2015
Brief for Inc. as defendant in the oppositions and as plaintiff in the cancellations due	May 28, 2015
Brief for Macaro and LLC as defendant in the cancellations and reply brief, if any, for Macaro as plaintiff in the oppositions due	June 27, 2015
Reply brief, if any, for Inc. as plaintiff in the cancellations due	July 12, 2015

6. Counsel for the Applicant attempted to confer with counsel for the Opposer in an effort to file a consent motion for extension. However, despite two emails and one voicemail to counsel for Opposer, counsel for Applicant was not able to obtain his position on this request for an extension prior to filing this motion.

WHEREFORE, Applicant respectfully requests a 60-day extension be granted to complete discovery, with a corresponding extension of all deadlines in this proceeding, as set forth herein.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy hereof has been furnished to David R Burkholder, Esq., BALCH & BINGHAM LLP, P.O. Box 306, Birmingham, AL, 35201, [dburkholder@balch.com](mailto:dburkholder@balch.com), Attorney for Opposer, and to Jennifer Whitelaw, Esq., WHITE LAW LEGAL GROUP, 3838 Tamiami Trail North, Suite 310, Naples, FL 34103, [ttabmail@whitelawfirm.com](mailto:ttabmail@whitelawfirm.com), Co-counsel for Applicant, by electronic mail on this 19th day of March, 2014.

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By: /s/ Dale L. Friedman  
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